

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:00CR212
	)	
v.	)	
	)	
PABLO STALLINGS,	)	ORDER
	)	
Defendant.	)	
_____	)	

This matter is before the Court on remand from the United States Court of Appeals for the Eighth Circuit (Filing No. 188) for consideration of whether a certificate of appealability should issue (*see Tiedman v. Benson*, 122 F.3d 518 (8<sup>th</sup> Cir. 1997)). The Court has again reviewed defendant's motion for reconsideration (Filing No. 171) in which he seeks reconsideration of this Court's January 18, 2006, memorandum opinion and order and judgment (Filing Nos. 169 and 170). Neither the defendant's original motion to vacate (Filing No. 166) nor his motion for reconsideration raise a substantial issue of constitutional law which would justify the granting of a certificate of appealability pursuant to 18 U.S.C. § 2253(c)(1) and (2). Accordingly,

IT IS ORDERED that no certificate of appealability will  
be issued.

DATED this 23rd day of May, 2006.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court